

UNITED STATES DISTRICT
COURT
SOUTHERN DISTRICT OF
NEW YORK
UNITED STATES OF
AMERICA,
-against- HO WAN KWOK,
a/k/a "Miles Guo,"
a/k/a "Miles Kwok,"
a/k/a "Guo Wengui,"
a/k/a "Brother Seven,"
a/k/a "The Principal,"
KIN MING JE,
a/k/a "William Je," and
YANPING WANG,
a/k/a "Yvette,"
Defendants
Judge Analisa Torres

Case No. 1:23-CR-118-1 (AT)

Motion to intervene as a victim

I once again apply for special permission from the court to allow me to express my appeal in the simplest language of ordinary people. Background File 528 and File 596 are two court orders about me, and I will definitely comply. If I understand correctly, I am close to being expelled from the court. If I want to stay in the court, the safest choice is to become a victim in this case. If I am completely banned or expelled from the court, I will be in a very dangerous situation. All parties involved in the case admit that all those involved are facing threats from the Chinese Communist Party, and I am currently in China, and the threats I face are very huge. If I am completely banned or expelled from the court, I may be quickly arrested by the Chinese government, and I may even be murdered. If I continue to stay in the court, at least I have the protection of the identity of a party involved in the US court. Without this identity, I have no way to assess the threats and risks I face. Therefore, in order to continue to stay in the court and for the safety of my life, I choose to be the victim of the defendant. I beg the judge to forgive the mistakes I made before and let me stay in the court.

In addition, the judge also mentioned my alias. I will show my real Chinese name in this motion and submit evidence about my identity after the motion. I did not forge my name. I have used the English name Chunk for several years. The Family Name, Chyi, is also real. This is the translation method of Taiwan and Hong Kong, just like Guo Wengui's Family Name, Guo is translated into Kwok. In addition, I cannot receive the court documents in the first time. I implore the court staff to send the court documents directly to me by email. I mainly read court documents on nfsc.press, which is the website of the Himalayan Alliance New Federal State of China. There is a big delay in reading court documents there. I can also see court documents pushed by other netizens who care about this case through the X platform. If I receive the court order for file 528 in the first time, I will not send the following files. And up to now, the court documents on nfsc.press have only been updated to file 596, jumping directly from file 528 to file 596, and the 68 files in between have not been updated. This means that I have not seen the court documents that I wrote and uploaded by the court until now. In any case, I will comply with the judge's order.

Legal Basis

Crime Victims Rights Act (18 U.S.C. § 3771): As a victim of the defendant's crime, the movant has the following statutory rights: a. The right to be reasonably protected from the defendant (18 U.S.C. § 3771(a)(1)); b. The right to receive reasonable, accurate, and timely notice of any public court proceeding (18 U.S.C. § 3771(a)(2)); c. The right to be heard in any public proceeding concerning release, confession, adjudication, or forfeiture (18 U.S.C. § 3771(a)(4)); d. The right to receive adequate and timely compensation as required by law (18 U.S.C. § 3771(a)(6)); e. The right to be free from unreasonable delays in the proceedings (18 U.S.C. § 3771(a)(7)).

As a victim, I will support all the real victims registered through File 10-1, and I also support the prosecutor's File 10-1, File 382, File 493, File 511, and File 671. In order to protect my interests as a victim, I will oppose those who have filed redemption claims for confiscated funds in court or those who may file redemption claims. These suspicious persons include Geyer, Luc, and the attorneys who represented more than a hundred petitions mentioned by the prosecutor in File 671.

The evidence is as follows

Document 7

Despite this injunction, obstruction of Kwok's bankruptcy proceeding has continued.

Two

days after the preliminary injunction was issued, on January 11, 2023, on his Gettr page, Kwok

encouraged his followers to flood the bankruptcy docket with claims (regardless of their merit).

By so doing, Kwok sought to force the Trustee to incur unnecessary costs and expense as well as

obstruct the proceedings.¹⁴ On January 23, 2023, Kwok posted a video on Gettr in which he

encouraged more of the same, and revealed the purpose of the filings was to obstruct the

bankruptcy court and cause unnecessary expenses for the Trustee:

"All of you go to the bankruptcy court . . . Let the attorney's fees of trustee accumulate to 1 trillion if possible."

"Think about it, \$1,860 an hour as the attorney's fees. How much attorney fees is it after you all registered? How good is that!"

Document 192

Indeed, even after the Bankruptcy Court issued a preliminary injunction barring Kwok from certain obstructive activities, Kwok violated it. Specifically, Kwok encouraged his followers

to flood the bankruptcy docket with claims (regardless of their merit).

On January 23, 2023,

Kwok posted a video on Gettr in which he encouraged more of the same, and revealed the purpose

of the filings was to obstruct the bankruptcy court and cause unnecessary expenses for the Trustee:

"All of you go to the bankruptcy court . . . Let the attorney's fees of Trustee accumulate to 1 trillion

if possible;" and "Think about it, \$1,860 an hour as the attorney's fees. How much attorney fees

is it after you all registered? How good is that!"

Document 202

Motion Follows Same Pattern as Other Filings by Mr. Kwok's Associates, and Trustee Believes Funds In Question May Be Property of Chapter 11 Estate

Although not an issue for this Court to decide, the Trustee believes that Movants-like many parties before them-may very well be receiving direction from Mr. Kwok or his proxies, and the funds they seek

to recover may rightfully be property of the estate. The Trustee bases this position on, among other things, the Bankruptcy Court's finding in its December 2022 preliminary injunction ruling in response to the protests and harassment against the Trustee and PAX that Himalaya Exchange is among a group

of entities that "serve[s] the purposes of the Debtor, serve[s] as [a] business vehicle[] for the Debtor, and [its] members are personally loyal to the Debtor."⁷ The purported nominal leader of the

Himalaya Exchange is Mr. Kwok's alleged co-conspirator, William Je, who allegedly lent Mr. Kwok's daughter \$37 million early in the bankruptcy case through an entity named Himalaya International

Financial Group Ltd. in an effort to help her keep Mr. Kwok's luxury yacht (which the Trustee subsequently established was property of the estate) away from his creditors. Mr. Kwok's daughter

Affectionately called Mr. Je "Uncle William" in her testimony.

Moreover, the Trustee has recently learned that a prominent supporter of the Debtor nicknamed "Little Sarah"-who, among other things, has referred to Mr. Kwok as "Uncle Guo," has dined with him at his luxury New York

city apartment, has sailed on one of his yachts, and participated in the protests-used her social media account to introduce investors in the Himalaya Exchange to Mr. Geyer so he could seek

purported relief on their behalf in exchange for a one percent commission on fees recovered.⁸ As noted above, this tactic and practice of Mr. Kwok's followers mobilizing as purported claimants is one Defendant

Kwok has been employed, and the Trustee has seen, before.

Movants' suggestion that they have no relationship to Mr. Kwok and that the exchange funds cannot possibly be property of the estate is untethered from both the facts and the law. Among Movants' flawed

legal positions is their attempt to analogize the Himalaya Exchange to a bank holding customer deposits, contending that such deposits are not the bank's property.⁹ But this statement is wrong, because a bank

does own the deposits, with its depositors holding unsecured claims against the bank. The same may very well be true with any alleged customer funds in the Himalaya Exchange. Indeed, among the \$1.2

billions in claims that have been asserted against Mr. Kwok in the Bankruptcy Court to date are many claims allegedly held by the exact types of Himalaya Exchange customers Movants purport to represent.

This tends to undermine the notion that the funds Movants seek to recover are not estate property.

Document 202 cites thousands of Himalaya Exchange customers registered.

File 382

The trial record makes clear that Guo controlled the Farms-the "supporters group around the world" that "Miles Guo established around April/May 2020." Tr. 1373:5-9. Guo's own words establish his control over the Farms. For example, in a July 22, 2020 video, Guo listed out the leaders of the various Farms and gave them instructions. See GXC40-V ("The leaders of all farms need to do all they can to protect those who contact them. Anybody who does not respond or not fulfill their responsibilities will be dismissed.

Because Guo directly controlled the Farms, the Farm leaders were agents of Guo,

File 388

There is sufficient evidence to find that each of these individuals were members of the conspiracies related to the Farms.

Guo selected each of these individuals to lead their respective Farms and in turn, they carried out his instructions in managing the Alliance.

Doc 395

Jury verdict as to USA v. Miles Guo

The complete chain of evidence proves that the registration of creditors and the registration of thousands of customers of Himalaya Exchange are seriously suspected of conspiracy. The more than 100 petitions mentioned by the prosecutor in Document 671 are exactly the same, and were also completed under the circumstances of the organization and propaganda of the Himalaya Alliance and Himalaya Farm and suspected conspiracy. These suspicious participants who appeared in court in the nature of agreements, forms, registrations, and agents can only happen under the conspiracy of the criminal Guo Wengui or his Himalaya Alliance Himalaya Farm. The logic is very simple, because it is impossible for any other person or institution to have the ability to organize these followers who participated in the investment of Guo Wengui's series of entities to do the same thing!

Conclusion

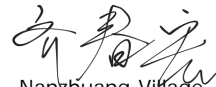
I ask the judge to rule that the creditor registry, the thousands of customer registries of Himalaya Exchange, and the more than 100 petitions mentioned in Document 671 are illegal and should be invalidated.

I also suggest that the prosecutors immediately launch a criminal investigation against Luc Geyer, the attorney who represented the more than 100 agreements mentioned in Document 671. I suspect they are also accomplices. I also suggest that the prosecutors treat the leaders of the Himalayan Farm and the Himalayan Alliance who are still engaged in criminal activities in exactly the same way as in Document 7.

The main content of my motion, in original Chinese, is on page 2. My identity evidence is on page 3.

Sincerely

Chunk Chyi/Chunhong Qi



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April 08,2025

我再次申请法庭的特殊许可，允许我用普通人的最简单的语言表达我的诉求。背景 文件528和文件596，有关于我的两个法庭命令，我一定会遵守。如果我没有理解错误的话，我已经接近于被逐出法庭了。如果我想继续留在法庭，最稳妥的一个选择，就是成为本案的受害者。如果我被彻底禁止，或者被逐出法庭，对我而言，我会处于非常危险的处境。案件相关方都承认，所有涉案人员都面临中国共产党的威胁，而我目前在中国境内，我面临的威胁是非常巨大的。如果我被彻底禁止或者被逐出法庭，我可能会被中国政府迅速逮捕，甚至有可能被谋杀。我继续留在法庭上，至少有美国法庭相关方这个身份的庇护，没有了这个身份，我所面临的威胁和风险，我完全没有办法评估。所以，为了继续留在法庭，为了我的生命安全，我选择做被告的受害者。我恳求法官能够谅解我之前犯下的错误，让我继续留在法庭。

另外，法官也提到了我的化名，我会在这个动议里面展示我的真实中文名字，并且在动议后面提交关于我的身份的证据。我的名字，我没有造假，英文名字Chunk,我已经使用了数年，Family Name, Chyi也是真的，这是台湾香港的翻译方式，就像郭文贵的Family Name, Guo翻译成Kwok一样。还有，我不能在第一时间收到法庭文件，我恳请法庭工作人员可以通过邮件把法庭文件直接发送给我。我读取法庭文件主要是在nfsc.press,这是喜马拉雅联盟新中国联邦的网站，在那边读取法庭文件有很大的延迟。我还可以通过X平台看到其它关心这个案件的网友推送的法庭文件。如果我第一时间收到文件528的法庭命令，我就不会再发后面的几个文件。并且到现在，nfsc.press的法庭文件只更新到文件596，从文件528直接跳到文件596，中间的68份文件没有更新。这意味着，我自己写的经过法庭上传版本的法庭文件，到现在我也没有看到过。无论如何，我会遵守法官的命令。

法律依据

《犯罪受害者权利法案》（18 U.S.C. § 3771）：作为被告犯罪的受害者，动议人享有以下法定权利：a. 合理免受被告侵害的权利（18 U.S.C. § 3771(a)(1)）；b. 获得任何公开法庭程序合理、准确、及时通知的权利（18 U.S.C. § 3771(a)(2)）；c. 在涉及释放、认罪、判决或没收的任何公开程序中发表意见的权利（18 U.S.C. § 3771(a)(4)）；d. 依法获得充分及时赔偿的权利（18 U.S.C. § 3771(a)(6)）；e. 诉讼程序免受不合理延误的权利（18 U.S.C. § 3771(a)(7)）。

作为受害者，我会支持所有的通过文件10-1登记的真实的受害者，我也支持检方的文件10-1，文件382，文件493，文件511，文件671。为了维护我作为受害者的利益，我会反对法庭上对没收资金提出了赎回诉求的人或者可能提出诉赎回求的可疑人员。这些可疑人员包括Geyer,Luc,文件671里面检方提到的一百多份请愿书的代理律师。

完整的证据链证明，债权人登记和喜马拉雅交易所数千客户登记严重涉嫌共谋犯罪。文件671里面检方提到的100多份请愿也是一模一样的情况，也是在喜马拉雅联盟和喜马拉雅农场的组织宣传和涉嫌共谋犯罪的情况下完成的。这些协议性质的，表格性质的，登记性质的，代理性质的出现在法庭的可疑参与方，都是在罪犯郭文贵或其喜马拉雅联盟喜马拉雅农场的共谋之下才能发生。逻辑非常简单，因为不可能有其它任何人任何机构有能力组织这些参与投资郭文贵系列实体的追随者去做同样的事情！结论

我请求法官，裁定债权人登记，喜马拉雅交易所数千客户登记，和文件671里面提及100多份的请愿非法并且被作废。并且我建议检方，立刻对Luc,Geyer,文件671提及的一百多份协议的代理律师展开刑事调查，我怀疑他们也是共谋犯。

我也建议检方，对目前还在进行犯罪活动的喜马拉雅联盟喜马拉雅农场领导人们采取文件7一模一样的待遇。